IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Crl.Rev.Pet.No. 1107 of 2007()

CRA.206/2004 of II ADDL.SESSIONS COURT, KOLLAM
CC.667/2000 of JUDL.MAGISTRATE OF FIRST CLASS-IIPUNALUR

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REVN. PETITIONER:

RAJASEKHARAN, PROPRIETOR,
THAMPURAN REXIN,
PUNALUR.

BY ADV. SRI.K.JAYAKUMAR
SRI.P.B.KRISHNAN
SRI.R.SURAJ KUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE GOVERNMENT PLEADER, HIGH COURT OF KERALA, AT ERNKAULAM.

2. MARY MAMMEN, PROPRIETOR,
IDEAL AGENCIES, PUNALUR, REPRESENTED BY THEIR POWER OF ATTORNEY AND MANAGER K.V. MAMMAN.

BY PUBLIC PROSECUTOR M. BREEZE M.S.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 13-3-2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.1107 of 2007

DATED THIS THE 13th Day of March 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay a compensation of Rs.50,000/- under Section 357(3) Cr.P.C. and in default to undergo simple imprisonment for three months. The revision petitioner has only sought for modification of sentence and time to pay the amount of compensation.

In the circumstances the sentence is modified to imprisonment till the rising of the court and to pay compensation of Rs.60,000/- vide Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for three months. The revision petitioner is granted three months time to pay the amount of compensation. The revision petitioner shall appear before the Judicial First Class Magistrate-II, Punalur on 14-6-2007 to receive sentence. It is submitted that the petitioner is in custody. He is ordered to be released forthwith, if not required to

be detained in any other matters. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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